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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GIL CROSTHWAITE, et al., as Trustees of the
OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA; et al.,

Plaintiffs,
v.

GOLDEN HILLS CONTRACTORS, INC., and
DONALD EDWARD WILSON,

Defendants.

Case No.: C06-7779 JSW

**REQUEST TO VACATE CASE
MANAGEMENT CONFERENCE**

AND ORDER THEREON
Date: June 13, 2008
Time: 1:30 p.m.
Courtroom: 2, 17th Floor
Judge: The Honorable Jeffrey S. White

Plaintiffs herein respectfully request that the Case Management Conference currently on calendar for June 13, 2008, at 1:30 p.m., be vacated.

1. On March 13, 2008, plaintiffs filed a Motion for Default Judgment against defendants Golden Hills Contractors, Inc. and its principal, Donald Wilson.

2. On March 14, 2008, the case was referred to Magistrate Judge Maria-Elena James for Report and Recommendation on default judgment.

3. On April 23, 2008, plaintiffs filed a Notice of Voluntary Dismissal with the Court as to defendant Surety Company of the Pacific.

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REQUEST TO VACATE CASE MANAGEMENT CONFERENCE
Case No.: C06-7779 JSW

1 4. On May 21, 2008, plaintiffs filed a Supplemental Declaration of Wayne E.
2 McBride re plaintiffs' Motion for Default Judgment, confirming that the check in the amount of
3 \$4,000.00 submitted by Surety Company of the Pacific on or about March 11, 2008 had cleared
4 the bank and had been credited to defendants' account. An Amended [Proposed] Judgment was
5 also filed on May 21, 2008, reflecting this credit to defendants' account.

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7 5. Due to the status of the action, there are no issues to be discussed at a Case
8 Management Conference.

9 6. Plaintiffs therefore respectfully request that the Case Management Conference,
10 currently scheduled for June 13, 2008, be vacated, and that Judgment be entered in favor of
11 plaintiffs and against defendants Golden Hills Contractors, Inc. and its principal, Donald Wilson.

12 I declare under penalty of perjury that I am the attorney for the plaintiffs in the above
13 entitled action, and that the foregoing is true of my own knowledge.

14
15 Dated: June 5, 2008

SALTZMAN & JOHNSON
LAW CORPORATION

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17 By: _____/s/_____
18 Michele R. Stafford
19 Attorneys for Plaintiffs

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21 IT IS SO ORDERED.

22 Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case
23 Management Conference is hereby vacated. IT IS SO ORDERED.

24
25 Date: June 9, 2008


UNITED STATES DISTRICT COURT JUDGE